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REPORT

ON

THE ADMINISTRATION OF CIVIL JUSTICE IN OUDH

During the year ending 31st December 1891.

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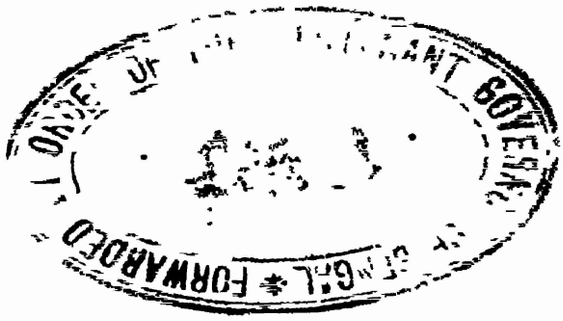

REPORT

ON THE

ADMINISTRATION OF CIVIL JUSTICE IN OUDH

during the year ending 31st December 1891.

No. 1561 OF 1892.

FROM

W. R. BURKITT, ESQ., C S.,

JUDICIAL COMMISSIONER, OUDH,

To

THE SECRETARY TO GOVERNMENT,

N.-W. PROVINCES AND OUDH,

JUDICIAL (CIVIL) DEPARTMENT

Dated Lucknow, the 8th October 1892.

SIR,

I HAVE the honour to submit the report, together with the prescribed statistical returns, relating to the administration of Civil Justice in Oudh during the year ending the 31st December 1891. The original reports of District Judges and Judges of Small Cause Courts are also submitted herewith.

2. During the year under report the amount of net stamp fees realized by Civil Courts exceeded the sum realized in 1890 by Rs. 2,583-11-0, the figures for the two years being Rs. 5,23,554-3-0 and Rs. 5,20,970-8-0. The details for each year are as follows :—

Income and Expenditure. Provincial Returns G. and H.

Judgeship.	1890. Rs.	1891. Rs.	*Difference.* Rs.
Lucknow	98,631	93,736	−4,895
Sitapur	59,319	60,480	+1,161
Fyzabad	83,431	85,153	+1,722
Rae Bareli	1,02,524	99,020	−3,504
Hardoi	77,478	80,397	+2,919
Gonda	54,270	72,921	+18,651
Judicial Commissioner's Court	45,306	31,844	−13,462

The increase is due to a larger number of suits of higher values having been instituted in the Small Cause Courts in the year under report than in the preceding year.

3. A comparative statement of the income and expenditure of Civil Courts during 1890 and 1891 is given below :—

Income.	1890. Rs.	1891. Rs.	*Difference.* Rs.
Net value of stamps	5,20,970	5,23,554	+2,584
Duty and penalty on instruments	3,408	3,167	−241
Fines	571	581	+10
Process fees	1,06,156	1,06,798	+642
Judicial record fund	41,206	40,294	−912
Total ...	6,72,311	6,74,394	+2,083
Expenditure			
Salaries of officers and establishments .	4,41,170	4,98,626	+57,456
Process serving establishment	67,847	71,245	+3,398
Judicial record fund	20,616	20,898	+282
Total ...	5,29,633	5,90,769	+61,136
Surplus ...	1,42,678	83,625	−59,053

4. The income thus shows an increase of Rs. 2,083, but the expenditure exceeded that of 1890 by Rs. 61,136. The surplus of income over expenditure therefore shows a

falling off of Rs. 59,053. This result is due to increased expenditure, caused by the re-constitution of the Judicial administration of Oudh during the year under report.

ORDINARY CIVIL COURTS.

5. There was a considerable decrease in the number of suits instituted in ordinary Civil Courts, other than Courts of Small Causes, during the year under report. The number of suits instituted in Small Cause Courts, however, exceeded the number instituted during 1890 by 9,778.

IMPERIAL RETURN No. VII.
Suits instituted (ordinary Civil Courts, *i.e.*, exclusive of Small Cause Courts).

The figures for the two years are—

	1890.	1891.
Ordinary Civil Courts	35,045	26,003
Small Cause Courts	25,058	34,836
Total ...	60,103	60,839

It will thus be seen that the total number of suits instituted during 1891 shows a slight increase above the number instituted in the preceding year. The increase is but an ordinary fluctuation and does not call for any remark.

6. The aggregate value of the subject matter of ordinary civil suits was Rs. 64,39,610 in 1891 as against Rs. 1,07,15,452, the amount in litigation in 1890, showing a decrease of Rs. 42,75,842. The fluctuations in the figures for the six Judgeships in 1890 and 1891 are shown in the following table :—

IMPERIAL RETURN No. VIII.
Value of subject matter of suits (ordinary Civil Courts).

	1890. Rs.	1891. Rs.	Difference. Rs.
Lucknow	13,97,170	9,56,499	−4,40,671
Sitapur	12,03,519	10,66,469	−1,37,050
Hardoi	8,92,667	9,62,456	+69,789
Fyzabad	33,23,940	17,75,401	−15,48,539
Gonda	6,40,085	9,42,478	+3,02,393
Rae Bareli	32,58,067	15,47,972	−17,10,095

It will be seen from the above that in the Rae Bareli Judgeship there was a decrease of Rs. 17,10,095, in Fyzabad of Rs. 15,48,539, in Sitapur of Rs. 1,37,050 and in Lucknow of Rs 4,40,671, while on the other hand Hardoi shows an increase of Rs. 69,789 and Gonda of Rs. 3,02,393.

7. These variations are chiefly attributable to the marked falling off in the number of suits valued at sums exceeding Rs. 10,000, the number of such suits instituted in 1891 being 82 only, as against 137 in the previous year. The average value of each ordinary suit fell to Rs. 122-5-10 as compared with Rs. 305-12-2 in 1890.

8. The fluctuations in the more numerous kinds of suits instituted in ordinary Civil Courts during 1890 and 1891 are shown in the following table. It will be seen that there has been a decrease in institutions under all the heads detailed below :—

Description of suits (ordinary Civil Courts)

	1890.	1891.	Difference.
Contract in writing	13,438	9,203	−4,235
,, not in writing	5,179	3,508	−1,671
Goods sold	1,807	944	−863
On account stated	2,129	1,580	−549
Damages	1,321	855	−466
Movable property	1,769	1,380	−389
Other suits for money ...	1,021	737	−284
Immovable property ...	5,300	5,094	−206
Money had and received	366	235	−131
For enforcement of matrimonial rights ...	189	108	−81

The classes of suits in which the falling off is most noticeable in ordinary Civil Courts are all of them cognizable by Courts of Small Causes. Such a decrease in the ordinary

Courts is the natural result of the investment of several Munsifs and Sub-Judges with enhanced Small Cause Court powers and the consequent increase in the number of suits instituted in Courts of Small Causes.

Courts in which suits were instituted.

9. The following comparative statement shows in detail in what proportion the aggregate litigation instituted in ordinary Civil Courts during the past three years was distributed among the several classes of Courts :—

	1889.	1890.	1891.
Honorary Assistant Commissioners	3,151	2,744	2,250
Sub-Judges and Munsifs	34,811	32,161	23,691
District Judges	141	140	62

It will thus be seen that fewer suits by 494 were instituted in the Courts of Honorary Assistant Commissioners during 1891 than in the previous year. The decrease was 44 per cent. in Hardoi, 40 per cent. in Fyzabad, 22 per cent. in Sitapur and 4 per cent. in the Gonda Judgeship. The institutions, however, increased by 4 per cent. in the Lucknow Judgeship and were the same in both years in the Rae Bareli Judgeship. There was a decrease of 8,471 in the number of suits filed in the Courts of Munsifs and Sub-Judges during 1891 as compared with the figures for the previous year. This is almost entirely due to increased institutions in Courts of Small Causes as explained above.

IMPERIAL RETURN No. IX, PART I. Mode of disposal (ordinary Civil Courts).

10. The total number of suits disposed of by ordinary Civil Courts during the year under report was 26,989 as against 36,794 in the previous year, the decrease being 9,805. This falling off is, as nearly as may be, counterbalanced by an increase in cases before Courts of Small Causes. The number of suits pending at the close of the year was 5,338, being 16·5 per cent. of the total for disposal as compared with 13 3 per cent. at the close of 1890. The following comparative statement shows the result of the suits of the past two years :—

	1890.	1891.	Difference.
Disposed of without trial.			
Plaints rejected or returned	763	574	−189
Dismissed for default	5,677	4,009	−1,668
Withdrawn with leave	1,022	618	−404
Disposed of without contest.			
Compromised	5,261	4,063	−1,198
Decreed on confession	4,289	3,130	−1,159
„ *ex parte*	4,385	2,749	−1,636
Dismissed	825	455	−370
On reference to arbitration			
For plaintiff	135	122	−13
„ defendant	38	52	+14
Disposed of with contest.			
Judgment for plaintiff	9,518	7,509	−2,009
„ „ defendant	4,883	3,708	−1,175
Pending	5,692	5,338	−354

It will be noticed that notwithstanding the general decrease in the number of suits disposed of, the state of the pending files is better than at the end of 1890. The percentage of suits dismissed for default to the total number disposed of was 14·8, being about 1 per cent. less than in the preceding year.

11. The District Judge of Fyzabad remarks—"The high percentage of cases dismissed for default and *ex parte* will be observed in the Courts of Munsifs only. In "these Courts there are many suits of trifling value, the bulk of which are settled out "of Court and the parties do not care to attend the Court."

The District Judge of Gonda writes—"The explanation invariably given by the "Courts concerned is that the cases referred to are settled out of Courts, but though "this may account for a large number of them, particularly in Small Cause Court cases,

"yet in some instances, particularly in Bahraich, the percentages seem unduly high, "even allowing for this. The matter has been noticed in reviewing the monthly "business statements, and the attention of the Courts called to the Judicial Commis- "sioner's remarks in paragraph 20, Part I, Oudh Judicial Office Manual, page 19. It "will be further kept in view."

As regards the suits disposed of after trial, the figures given in the foregoing table show that the results were more favourable to plaintiffs in the year under report than in the preceding year. The percentages of the cases resulting in their favour were as follows :—

1890	49	per cent. of the suits disposed of.
1891	50	„ „

Pending suits.

12. The number of suits pending at the close of the past two years was—

	1890.	1891.
Ordinary	5,692	5,338
Small Cause Courts	2,930	2,599
Total ...	8,622	7,937

13. As regards the heavy pending files in the Courts of the Munsifs of Lucknow, the District Judge remarks—"The Munsifs are overworked. Frequent changes have "resulted in postponements of the more difficult cases."

The District Judge of Gonda writes—"The pending file last year was 2,305, so "that the number this year, which is barely two-thirds of that in spite of increased "work, must be considered a great improvement.

"The distribution is given in the margin. Of the remanets in my own Court, 56 "are connected cases which await the Judicial Com- "missioner's decision in a leading case. In the other "cases dates have been fixed in the current year.

Judge	63
Sub-Judge, Gonda	208
„ Bahraich ...	289
Munsif, Gonda	192
„ Utraula	163
„ Tarabganj	223
„ Bahraich	148
„ Kaisarganj	166
Honorary Assistant Commissioners	30

"The oldest case in the Court of the Sub-Judge, "Gonda, (14th November 1889) also awaits Judicial "Commissioner's decision in a leading case. The "pending files in ordinary suits in this Court bear a somewhat high proportion to the dis- "posals. Attention has been called to this. The Sub-Judge, Bahraich, has the "largest pending file. He has been requested to expedite disposal of the long pend- "ing cases of 29th January 1890 and 28th November 1890. The delay in the first "was due to there being 43 defendants, deaths of original parties and difficulty "of getting appearance from all."

The Sub-Judge of Bahraich had 99 ordinary suits and 190 Small Cause Court suits pending at the close of 1891, as compared with 486 and 831 respectively in the preceding year. The appointment of an additional Munsif during 1891 relieved the Sub-Judge of a large number of small cases. I have no doubt that it will be found absolutely necessary to make this appointment a permanent one. It has now been sanctioned up to the end of the financial year 1893-94.

Distribution of work (ordinary Civil Courts).

14. The following table shows in detail in what proportion the aggregate litigation instituted during the past two years was disposed of by the several classes of ordinary Civil Courts :—

	Number of suits disposed of.		Percentage on total number disposed of by all Courts.	
	1890.	1891.	1890.	1891.
Honorary Assistant Commissioners ..	2,895	2,289	7·8	8·4
Munsifs	28,102	20,155	76·3	74·6
Sub-Judges	5,690	4,488	15·4	16·6
District Judges	107	57	0·29	0·21

The number of original cases tried by District Judges is small. I anticipate that in the near future it will be smaller still, and that in consequence of having sessions work, criminal appeals and appeals in rent suits thrown on them, the District Judges in Oudh (as is the case in the North-Western Provinces) will have no time to take up any original civil work. All important original work must, I anticipate, eventually fall to the Sub-Judges, and I fear to the detriment of litigants, inasmuch as very few indeed of the present Oudh Sub-Judges would be competent to hear the very difficult and intricate talúkdári suits which are such a striking feature in Oudh litigation, but are unknown in other provinces.

Duration of suits (ordinary Civil Courts).

15. The average duration of suits in the different classes of Courts during 1890 and 1891 was—

	Contested days.		Uncontested days.	
	1890.	1891.	1890.	1891.
Honorary Assistant Commissioners ...	45·82	73 98	40·19	53·49
Munsifs	67·15	89 20	35 96	37·26
Sub-Judges	139·93	155 54	79·59	68·27
District Judges	357 91	374 05	140 31	291·57

It will be seen that the average duration of contested suits has very considerably risen in all classes of Courts, and of uncontested suits in all Courts, except those of Sub-Judges, where it has fallen from 79·59 to 68·27.

Colonel Newbery, the District Judge of Lucknow, remarks—"I feel disappointed "that my explanations were not accepted by Government entirely last year. My appli- "cation for the appointment of an additional Judge to try the Bhatwamau case, which "lasted 21 days in 1890 and 43 in 1891, was disallowed. This interfered gravely with "work. Criminal work was also heavy. I have done my best to dispose of work. I "took no leave for a day even, and wrote the Bhatwamau judgment without stopping "ordinary work for a day."

The District Judge of Sitapur, in whose Court the average duration has risen from 254 to 421·8, writes—"The cause of increase is due to the fact that the cases were "often postponed during the year under report owing to sessions work."

The District Judge of Fyzabad remarks—"Repeated adjournments owing to "transfer of jurisdiction and other causes account for the high average duration."

The District Judge of Rae Bareli, in whose Court the average duration of contested cases rose from 244 to 316 days, has not given any explanation of the increase. The increase is, however, most probably due to the great amount of criminal work, sessions and appeals, which this Judge has to do. He has to hold no less than twenty sessions (eight of them at out stations) during the year, and has also to hear the criminal appeals of three districts.

Adjournments (ordinary Civil Courts).

16. The Sub-Judge of Partábgarh granted 34 adjournments in a single case, and the Sub-Judge of Hardoi granted 21 adjournments in another suit. The former officer has furnished a satisfactory explanation for his action, but the latter has assigned no reasons. The Munsif of Sitapur, who granted 20 adjournments in a single case, explains that the case had often to be postponed owing to delay in the preparation of a plan of the disputed spot, to the non-appearance of some of the plaintiffs on the dates fixed for hearing and to the death of some of the plaintiffs and substitution of the names of their representatives on record.

The District Judge of Gonda, commenting on the large number of adjournments granted by Sub-Judges and Munsifs in his Judgeship, remarks—"All the Courts are "still too easy in the matter of adjournments, which are too often granted without "sufficient reason, though their attention has been repeatedly called to the matter."

17. During 1891 ordinary Civil Courts disposed of 8,004 miscellaneous cases, being 246 more than in the preceding year. The mode of disposal was as follows :—5,082 cases were contested, and out of them 3,135 were decided in favour of plaintiff and 1,947 in favour of defendant; 1,801 cases were struck off, 182 were compromised, 323 decreed on confession and 613 were decreed or dismissed *ex parte*.

IMPERIAL RETURN No. IX, PART II. Miscellaneous cases (ordinary Civil Courts).

18. The average duration was—

	Contested days		Uncontested days.	
	1890.	1891.	1890	1891.
Honorary Assistant Commissioners ...	51·77	45 33	33·34	39·50
Munsifs	32·19	37·0	29·53	35 43
Subordinate Judges	35 89	40 88	30·12	33 79
District Judges	111 21	93 10	49·87	208 93

In contested suits the average duration has fallen from 51·77 to 45·33 in the Courts of Honorary Assistant Commissioners, and from 111·21 to 93·10 in the Courts of District Judges. In uncontested suits it has risen in all classes of Courts. No explanation in regard to the high average duration has been offered by the District Judges.

19. In the Courts of District Judges and Subordinate Judges the number of appeals preferred during the year under report was 2,774 as against 3,165 in the preceding year. The appellate work in the Court of the District Judges decreased from 1,919 to 1,511, and that of the Sub-Judges increased from 1,246 to 1,263 appeals.

IMPERIAL RETURN No. X, PART I. Appeals from decrees (ordinary Civil Courts).

The total number of appeals in the file for disposal was 3,944, and they were disposed of in the following manner :—

	1890.	1891.	Percentages on total number disposed of. 1890.	1891.
Total number of appeals for hearing ...	4,131	3,944	...	...
Rejected	151	76	3·05	3·32
Dismissed for default	118	154	3 95	6·73
Heard ex parte.				
Confirmed	32	12	1 57	1·09
Modified	2	5		
Reversed	12	7		
Remanded	1	1		
Contested.				
Confirmed	1,662	1,306	55·65	57·10
Modified	254	217	8 50	9·48
Reversed	527	388	17·64	16·96
Remanded	227	121	7 60	5·29
Pending	1,145	1,557	...	...

20. The number of appeals pending at the close of the year was 512 in excess of the number pending at the close of 1890. Out of 1,245 appeals pending in District Judges' Courts, 315 were pending at Sitapur, 257 at Hardoi, 231 at Fyzabad, 193 at Rae Bareli, 154 at Lucknow and 95 at Gonda. Of the 412 appeals pending in Sub-Judges' Courts, the largest number, 112, was pending in the Court of Sub-Judge of Gonda.

21. The average duration of appeals has risen from 103 days in 1890 to 147 days in the year under report. In District Judges' Courts the highest average was 309 days in Lucknow : and in Subordinate Judges' Courts the highest average was 150 days at Rae Bareli, and the lowest average was 37 days at Sultánpur.

22. The number of appeals that came before the Judicial Commissioner for disposal was 162 appeals from original decrees and 1,054 appeals from appellate decrees, as against 188 regular and 1,647 second appeals in the preceding year. The mode of disposal in each year is given below :—

Appeals to the Court of the Judicial Commissioner.

	1890.	1891.	Percentage on total for disposal. 1890.	1891.
Total number of appeals for hearing ...	1,835	1,216	...	...
Rejected	85	55	7·11	8·04
Dismissed for default	23	25	1·92	3 64
Heard ex parte.				
Confirmed	7	15	1 25	2·63
Modified	3	1		
Reversed	5	2		
Remanded	...	...		
Contested.				
Confirmed	694	342	58·07	50·0
Modified	59	55	4·93	8·04
Reversed	286	118	23·93	17 25
Remanded	33	71	2·76	10·38
Pending	640	532	...	...

23. The average duration of first civil appeals was 415 days, of second civil appeals 406 days and of second rent appeals 182 days, the figures for the preceding year being 423, 425 and 179 respectively.

24. In addition to the appeals referred to in the preceding paragraph, 109 miscellaneous appeals came before the Judicial Commissioner during 1891, of which 78 were disposed of and 31 remained pending at the close of the year. The average duration was 141 days as against 225 days in the preceding year. Applications for revision under section 622, Civil Procedure Code, aggregated 258, which were disposed of in the following manner :—decree was confirmed in 68 cases, modified in 2 cases, reversed in 16 cases, and the proceedings were remanded in 6 cases. One hundred and thirty applications were summarily rejected or dismissed and 36 remained pending at the end of the year. The average duration of applications for revision was 73 days as compared with 148 days in the preceding year.

IMPERIAL RETURN No. X, PART II. Miscellaneous (Judicial Commissioner's Court).

25. There were 299 miscellaneous civil appeals for disposal before the District Judges and 88 before the Subordinate Judges, as against 325 and 72 respectively in the preceding year. District Judges disposed of 155, and Subordinate Judges disposed of 73 miscellaneous civil appeals, in all 228, of which 52 were rejected or dismissed, orders were confirmed in 92 cases, modified in 5 cases, and reversed or proceedings remanded in 78 cases, and 160 remained pending at end of the year.

Courts of District and Subordinate Judges

The average duration was 95 days in the Courts of Subordinate Judges and 148 days in those of District Judges.

26. There were 29,704 applications for execution of decree before ordinary Civil Courts for disposal, being 559 less than in the preceding year. The subjoined comparative table shows the mode of disposal of such applications during 1890 and 1891 :—

IMPERIAL RETURN No. XI. Execution of decrees (ordinary Civil Courts).

	Applications. 1890.	1891.	Percentage to total number of applications. 1890.	1891.
Transferred to other Courts	660	648	2·20	2·18
Satisfied in full	8,890	7,908	29 37	26 82
„ part	4,180	4,053	13·81	13·6
Wholly infructuous	11,647	11,888	38·4	40·02
Pending	4,886	5,117	16·14	17 32

As compared with the figures for 1890, the most noticeable fluctuation is the increase in the number of applications for execution which were wholly infructuous and in the percentage of decrees fully satisfied. The difference under the other heads is very slight.

27. During 1891 applications for declaration of insolvency numbered 39, being one less than in the preceding year. Out of the 39 applications, 5 were transferred or withdrawn, &c., 3 were granted, 10 rejected and 21 remained pending at the close of the year.

IMPERIAL RETURN No. XII. Insolvency (ordinary Civil Courts).

28. The number of witnesses examined by ordinary Civil Courts fell from 53,684 in 1890 to 50,754 in the year under report; of these latter 49,681 or 97 per cent. of the witnesses are reported to have been discharged on the day they attended.

PROVINCIAL RETURN No. XV. Witness statement (ordinary Civil Courts).

29. In the ordinary Civil Courts the receipts from process fees during the year amounted to Rs. 97,045; of this sum Rs. 70,987 were expended, leaving a surplus of Rs. 26,058. In 1890 the receipts were Rs. 96,834 and the surplus Rs. 28,536.

PROVINCIAL RETURN No. XVI. Process fees (ordinary Civil Courts).

30. The Civil Courts, other than Small Cause Courts proper, realized Rs. 10,186 on account of Sale Commission Fund and expended Rs. 1,819, leaving a surplus of Rs. 8,366 at the end of the year. The surplus at the close of 1890 was Rs. 9,217.

PROVINCIAL RETURN No. XVIII. Sale Commission Fund (ordinary Civil Courts).

31. Fair progress was made in the weeding of records during the year under report, as will appear from the undernoted figures :—

Records.

Judgeship.	A. Files.	B. Files.
Lucknow	...	3,768
Sitapur	20,822	25,090
Hardoi	11,417	23,831
Fyzabad	12,537	24,880
Gonda	10,615	28,583
Rae Bareli	13,637	28,193

There is much room for improvement in this matter in the Lucknow Courts. The attention of the Judge will be drawn to it.

SMALL CAUSE COURTS.

32. During 1891 the number of suits instituted in the Courts of Munsifs and Subordinate Judges exercising Small Cause Court powers and in Small Cause Courts proper aggregated 34,836, being 9,778 in excess of the number of suits instituted in the preceding year. The increase occurred in the Courts of Munsifs and Subordinate Judges. Institutions in the Lucknow City Small Cause Court show a decrease of 348, in the Lucknow Cantonment Small Cause Court of 52 and in the Fyzabad Small Cause Court of 45, as compared with the figures for 1890.

IMPERIAL RETURN No. VII. Suits instituted (Small Cause Courts).

33. Details of the increase and decrease in the different classes of suits instituted in 1891, as compared with the figures of the previous year, are as follows :—

	1890.	1891.	Difference.
Contract in writing	9,561	14,607	+5,046
„ not in writing	5,074	7,420	+2,346
Goods sold	3,248	4,416	+1,168
Movable property	1,160	1,889	+729
Other suits for money or movables	577	795	+218
On account stated	2,770	2,975	+205
Damages	815	873	+58
Rent not falling under the Rent Law	686	646	−40
Wages, work and material	756	785	+29
Money had and received	411	426	+15

34. With the increase in the number of suits instituted in Small Cause Courts referred to in the preceding paragraph, the value of the subject matter has risen from Rs. 7,58,987 in 1890 to Rs. 10,05,188 in the year under report, being an increase of Rs. 2,46,201. The percentage of suits valued at more than Rs. 50 rose from 12·5 in 1890 to 13·9 in 1891.

IMPERIAL RETURN No. VIII.
Value of suits instituted (Small Cause Courts).

There has, however, been a slight falling off in the average value per suit, the figures for the past two years being Rs. 29-2-5 in 1890 and Rs. 28-13-8 in 1891.

The value of litigation in the Courts of Subordinate Judges and Munsifs on the Small Cause Court side was much higher in 1891 than in the preceding year, the figures for the two years being Rs. 8,11,667 and Rs. 5,43,572 respectively.

The value of suits instituted in the Lucknow City and Cantonment Small Cause Court, and in the Fyzabad Cantonment Small Cause Court, however, shows a decrease of Rs. 21,894 as compared with the figures for 1890.

35. As compared with the figures for 1890 there has been an increase of 10,683 in the number of suits coming before Small Cause Courts for disposal in 1891.

IMPERIAL RETURN No. IX, PART I.
Mode of disposal (Small Cause Courts).

The accompanying table shows the manner in which those suits were diposed of :—

	Percentages to total number of suits for disposal.		Difference.
	1890.	1891.	
Without trial	16·9	18·3	+1·4
Without contest.			
Compromised	12·8	14·7	+1·9
Decreed on confession	17·	16·7	+0·3
„ *ex parte*	13·9	15·4	+1·5
Dismissed *ex parte*	1·6	1·4	−0·2
With contest.			
By arbitration	0·1	0·10	...
In favour of plaintiff	18·2	17·7	−5·
„ defendant	8·5	8·6	+1·
Pending	10·6	6·7	−3·9

36. In 1891 the average duration of contested suits was 44 days and of uncontested suits 33 days, as compared with 41 days and 36 days respectively in 1890.

37. There were 2,269 miscellaneous cases for disposal before Small Cause Courts in 1891, as against 1,656 in the preceding year, the increase being 613 cases. Of these 2,269 cases 1,324, or a little over 58 per cent., were contested,—735 being decided in favour of plaintiff and 589 in favour of defendant; 215, or 9 per cent., were disposed of without contest; 526, or 23 per cent., were disposed of without trial, and 204 cases, or about 9 per cent., remained pending at the close of the year.

IMPERIAL RETURN No. IX, PART II.
Miscellaneous cases (Small Cause Courts).

38. The application for execution of decrees before Small Cause Courts for disposal in the year under report aggregated 19,832, being 4,158 in excess of the number of such applications in the preceding year. The following statement shows the mode of disposal of these applications and the amount realized in the two years :—

IMPERIAL RETURN No. XI.
Execution of decrees (Small Cause Courts).

	Applications.		Percentage to total number of applications.	
	1890.	1891.	1890.	1891.
By transfer	687	840	4·38	4·23
Satisfied in full	3,438	3,988	21·93	20·10
„ part	2,605	3,771	16·61	19·0
Wholly infructuous	7,450	9,173	47·53	46·25
Pending	1,494	2,060	9·53	10·38

	1890.	1891.	Difference.
	Rs.	Rs	Rs.
Amount realized after issue of process ...	... 1,13,290	1,24,270	+10,980
„ without „ ...	. 18,299	10,071	−8,228

The amount realized shows an increase of Rs. 2,752.

PROVINCIAL RETURN No. XV.
Witness statement (Small Cause Courts proper).

39. There was a falling off during 1891 in the number of witnesses examined in the Lucknow City Small Cause Court, and in the Lucknow and Fyzabad Cantonment Small Cause Courts, the figures for 1890 and 1891 being 3,686 and 3,416 respectively. Only 13 witnesses are reported to have been detained more than one day, the rest being discharged on the day they attended.

PROVINCIAL RETURN No. XVI.
Process fee fund (Small Cause Courts proper).

40. The process fees realized in the Small Cause Courts proper amounted to Rs. 6,627-9-0. After paying all expenses the Courts handed over Rs. 58-14-7 to the credit of the public treasury.

PROVINCIAL RETURN No. XVIII.
Sale Commission Fund.

41. During 1891 Small Cause Courts proper realized Rs. 255 on account of Sale Commission Fund. After paying expenses there was a surplus of Rs. 112 as compared with 135 in 1890.

RENT COURTS.

42. In consequence of the change made by Act XX of 1890 Rent Court litigation statistics are no longer submitted to this Court, but are sent to and reviewed by the Board of Revenue.

COURT OF THE JUDICIAL COMMISSIONER.

Revision and reference.

43. In addition to the business detailed in paragraphs 24 and 22, 156 miscellaneous applications and 9 references for rulings were disposed of.

Miscellaneous work.

44. Twenty applications for leave to appeal to Her Majesty's Privy Council, and 25 applications from pleaders for enrolment or promotion, were also dealt with.

I have the honor to be,

SIR,

Your most obedient servant,

W. R. BURKITT,

Judicial Commissioner, Oudh.

APPENDICES.

IMPERIAL RETURN No. VII (Civil).

Showing the number and description of Civil Suits instituted in the Courts of the Province of Oudh during the year 1891.

Classes of tribunals.	Suits for money or movable property.										Title and other suits.																Grand Total.
	Contract in writing.	Contract not in writing.	On account stated.	Money had and received.	Goods sold.	Work and materials.	Rent not falling under the Rent Law.	Movable property or value thereof.	Damages.	Other suits for money or movables not already mentioned.	Suits for immovable property.	Suits for declaratory decree.	Other suits under the Specific Relief Act.	Suits to declare and establish rights to real property, including pre-emption, foreclosure, &c.	Suits to declare and establish personal rights.	Suits for an account.	Suits relating to religious endowments.	Suits to set aside judgments, contracts or obligations on the ground of fraud.	Suits for dissolution of marriage.	Suits for enforcement of matrimonial rights.	Suits for partition.	Suits relating to slipping.	Suits relating to religion or caste.	Administration suits.	Inter-pleader suits.	Dissolution of partnership.	Suits under section 261, Act X of 1865 (also Hindu Wills Act).	Other suits not falling under any of the previous heads).	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30
Civil Courts.																													
Unpaid tribunals	760	526	254	33	160	35	122	205	79	41	21	2	1	7	...	...	...	...	...	1	1	...	...	...	...	...	...	2	2,250
Paid sub-divisional tribunals	8,427	2,982	1,326	203	784	192	161	1,175	775	696	5,042	187	111	1,002	76	44	3	63	22	107	21	...	...	...	1	6	2	283	23,691
Small Cause Courts	14,607	7,420	2,975	426	4,416	785	646	1,889	873	795	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	4	34,836
District Courts	16	...	...	...	...	...	1	...	1	...	31	1	...	6	1	...	1	...	...	...	1	...	...	...	...	...	...	3	62
Total ...	23,810	10,928	4,555	662	5,360	1,012	930	3,269	1,728	1,532	5,094	190	112	1,015	77	44	4	63	22	108	23	...	...	...	1	6	2	292	60,839

IMPERIAL RETURN No. VIII (Civil).

Showing the number and value of suits instituted in the Civil Courts in the Province of Oudh during the year 1891.

Class of Courts.	Number of suits instituted in the different Courts.									Total value of suits.	Remarks.
	Not exceeding Rs. 10.	Not exceeding Rs. 50.	Not exceeding Rs. 100.	Not exceeding Rs. 500.	Not exceeding Rs. 1,000.	Not exceeding Rs. 5,000.	Not exceeding Rs. 10,000.	Exceeding Rs 10,000.	No. of suits, the value of which cannot be estimated in money.		
1	2	3	4	5	6	7	8	9	10	11	12
Civil Courts.										Rs. a. p.	
Unpaid tribunals	753	1,242	238	17	...	...	...	...	...	63,454 10 6	
Paid sub-divisional tribunals	4,358	9,683	3,809	4,282	787	640	107	25	...	43,84,010 12 0	
Small Cause Courts	11,705	18,279	3,575	1,277	...	...	...	...	...	10,05,188 15 4	
District Courts	...	...	...	...	...	4	1	57	...	19,92,144 11 10	
Total	16,816	29,204	7,622	5,576	787	644	108	82	...	74,44,799 1 8	

IMPERIAL RETURN No. IX (CIVIL).

Statement showing the general result of the trial of civil cases in the Courts of original jurisdiction in the Province of Oudh in the year 1891.

PART I.—CIVIL SUITS.

Class of Courts.	Total number of suits before the Courts.	No. of cases disposed of										Ponding at close of the year.	No. of cases pending more than 3 months at the close of the year.	Average duration of cases.		Remarks.
		Transferred to other Courts.	Without trial.	Without contest.				On reference to arbitration.		With contest				Contested.	Uncontested.	
				Compromised.	Decreed on confession	Decreed *ex parte*.	Dismissed *ex parte*.	For plaintiff.	For defendant.	Judgment for plaintiff in whole or in part.	Judgment for defendant.					
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
I.—Civil Courts.																
Unpaid tribunals	2,579	...	597	446	509	234	42	9	2	302	148	290	109	73·98	53·49	
Paid sub-divisional tribunals	23,987	...	3,901	3,067	2,125	2,176	341	83	42	5,585	2,835	2,932	1,291	89·20	37·26	
Small Cause Courts	38,250	...	7,005	5,633	6,405	5,907	562	23	17	6,798	3,301	2,599	177	44 85	33·49	
District Courts other than Chief Courts of districts ...	6,425	...	696	543	496	334	70	28	8	1,602	711	1,937	871	155 54	68·27	
Chief Courts of districts	236	...	7	7	...	5	2	2	...	20	14	179	168	374 05	291 57	
Total ...	70,577	...	12,206	9,696	9,535	8,656	1,017	145	69	14,307	7,009	7,937	2,616	75·70	37 38	

IMPERIAL RETURN No. IX (Civil).

Statement showing the general result of the trial of civil cases in the Courts of Original Jurisdiction in the Province of Oudh in the year 1891.

Part II.—Miscellaneous Cases.

Class of Courts.	Total number of suits before the Courts.	Number of cases disposed of.										Pending at the close of the year.	Number of cases pending more than three months at the close of the year.	Average duration of cases.		Remarks
		Transferred to other Courts.	Without trial.	Without contest.				On reference to arbitration.		With contest.						
				Compromised.	Decreed on confession.	Decreed *ex parte*.	Dismissed *ex parte*.	For plaintiff.	For defendant.	Judgment for plaintiff in whole or in part.	Judgment for defendant.			Contested.	Uncontested.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
I.—Civil Courts.																
Unpaid tribunals	188	...	63	20	8	7	1	2	...	54	24	9	3	45 33	39·50	
Paid sub-divisional tribunals	5,195	...	1,029	124	274	246	169	...	...	1,548	1,295	510	65	37·00	35·43	
Small Cause Courts	2,269	...	526	34	58	104	19	...	...	735	589	204	13	32 08	148 13	
District Courts other than Chief Courts of districts ...	2,939	...	463	29	39	129	34	...	...	1,262	561	422	110	40·88	33·79	
Chief Courts of districts	841	...	246	9	2	25	2	1	...	271	67	218	123	93·10	208 93	
Total ...	11,432	...	2,327	216	381	511	225	3	...	3,870	2,536	1,363	314	42 48	39 35	

IMPERIAL RETURN No. X (Civil and Rent).

Statement showing the business of the Civil Appellate Courts of the Province of Oudh in the year 1891.

Part I.—Appeals from Decrees.

Class of Courts.	Total number of appeals before the Courts.	Transferred to Courts in other provinces.	Appeals summarily rejected.	Dismissed for default or otherwise not prosecuted.	Heard *ex parte*.				Contested.				Pending.	Of those pending more than three months.	Average duration of appeals.	Objections under section 561, Act XIV, 1882.	Remarks.
					Confirmed.	Modified.	Reversed	Remanded.	Confirmed.	Modified.	Reversed.	Remanded.					
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Courts in the Interior. Appeals from Original decrees.																	
A.—*Civil Courts.*																	
Chief Appellate Courts other than Chief Courts of districts ...	1,548	...	8	63	5	2	5	1	606	125	205	56	412	226	108 81	29	
„ of districts . .	2,396	...	68	91	7	3	2	...	640	92	183	65	1,245	887	187·79	43	
Superior Appellate Courts other than Chief Courts of Province ..	...	...	...	...	...	..	...	...	...		. .	...	...	...	...	...	
Total .	3,944	...	76	154	12	5	7	1	1,306	217	388	121	1,657	1,113	147·21	72	
Courts of the Presidency or seat of Government.																	
Chief Court of Province. — Appeals from original decrees — Civil .	158	...	4	4	...	...	...	...	22	6	12	16	94	82	415 84	2	
Chief Court of Province. — Appeals from original decrees — Rent .	4	...	...	...	.	..	..	...	...	...	...	..	4	4	..	...	
Chief Court of Province. — „ appellate „ — Civil ...	707	...	20	10	6	1	2	...	176	31	76	7	378	313	406·08	8	
Chief Court of Province. — „ appellate „ — Rent ..	347	...	31	11	9	...	...	...	144	18	30	48	56	19	182 79	4	
Total ...	1,216	...	55	25	15	1	2	...	342	55	118	71	532	418	311 96	14	
Grand Total ...	5,160	...	131	179	27	6	9	1	1,648	272	506	192	2,189	1,531	185 01	86	

IMPERIAL RETURN No. X (Civil).

Statement showing the business of the Civil Appellate Courts of the Province of Oudh in the year 1891.

Part II.—Miscellaneous.

Class of Courts.	Total number of appeals before the Courts.	Transferred to Courts in other provinces.	Appeals summarily rejected.	Dismissed for default or otherwise not prosecuted	Heard *ex parte*.				Contested.				Pending.	Of those pending more than three months.	Average duration of appeals.	Objections under section 561, Act XIV of 1882.	Remarks.
					Confirmed.	Modified.	Reversed.	Remanded.	Confirmed.	Modified.	Reversed.	Remanded.					
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
COURTS IN THE INTERIOR.																	
Appeals from original decrees.																	
A.—Civil Courts.																	
Chief Appellate Courts other than Chief Courts of districts .	88	.	1	6	...	..	.	1	35	1	13	16	15	4	93 52	...	
Chief Appellate Courts of districts and superior Appellate Courts other than Chief Court of Province.	299	.	25	20	1	.	3		56	4	29	16	145	92	148 64	...	
Total .	387	...	26	26	1	...	3	1	91	5	42	32	160	96	131 56	.	
Courts of the Presidency or seat of Government.																	
Chief Court of Province. — Appeals from original decrees ... Civil ...	61	..	7	4	1	..	2	...	15	6	6	..	20	10	115 5	1	
Chief Court of Province. — Appeals from original decrees ... Rent ...	4	...	...	...	.	...	1	...	2	...	1	...	...	...	146·5	.	
Chief Court of Province. — „ appellate „ ... Civil ...	38	...	6	1	...	...	2	...	12	1	5	...	11	6	126·55	...	
Chief Court of Province. — „ appellate „ ... Rent ...	6	...	1	...	...	..	1	.	4	...	.	...	...		163 16	...	
Applications for revision under section 622, Act XIV, 1882 ...	258	.	130	..	5	...	.	...	63	2	16	6	36	22	73·93	...	
Total ...	367		144	5	6	.	6	...	96	9	28	6	67	38	91 20	1	
Grand Total ...	754	...	170	31	7	.	9	1	187	14	70	38	227	134	108 58	1	

IMPERIAL RETURN No. XI (CIVIL).

Statement showing the result of proceedings on applications for the execution of the decrees of the Civil Courts in the Province of Oudh during the year 1891.

Class of Courts.	Total number of applications for the execution of decrees before the Courts.	Applications disposed of.				Pending at the end of the year.	Number of applications pending more than three months at the close of the year.	Amount realized.		Number of applications.											Remarks.
		By transfer.	Satisfaction obtained in full.	Satisfaction obtained in part.	Wholly infructuous.			With the issue of process.	Without the issue of process.	On which the judgment-debtor was imprisoned.	On which he was arrested, but released without imprisonment	On which movable property—		On which immovable property—			On which possession was given—		On which specific performance was enforced.	On which partition was effected.	On which execution was affected otherwise than in the preceding columns.	
												Was sold.	Was attached, but subsequently released.	Was sold.	Was dealt with under sections 305, 322 or 326, Act XIV of 1882	Was attached, but subsequently released under section 275.	Of movables.	Of immovables.				
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
COURTS IN THE INTERIOR.																						
I—Civil Courts.								Rs. a. p.	Rs. a. p.													
Unpaid tribunals	1,051	42	346	136	417	110	28	8,324 12 7	1,122 11 9	1	3	91	308	14	...	11	...	12	...	...	43	
Paid sub-divisional tribunals ...	21,432	410	6,114	2,856	8,906	3,146	1,154	2,67,597 0 10	17,501 3 7	18	34	1,700	3,441	479	45	385	21	1,681	27	7	2,115	
Small Cause Courts ...	19,832	840	3,988	3,771	9,173	2,060	269	1,24,270 13 10	10,071 6 11	77	90	1,330	3,024	...	...	...	..	..	...	...	4,545	
District Courts ...	6,804	156	1,431	1,042	2,459	1,716	601	3,70,231 7 0	29,376 0 3	13	11	389	876	218	14	239	20	417	10	9	898	
Chief Courts of districts ...	417	40	77	19	106	175	151	62,751 6 1	7,509 3 9	...	...	10	10	6	1	6	...	15	...	...	61	
Total ...	49,536	1,488	11,956	7,824	21,061	7,207	2,203	8,33,175 8 4	65,580 10 3	109	138	3,520	7,659	717	60	641	41	2,125	37	16	7,662	

IMPERIAL RETURN No. XII (CIVIL).

Proceedings in Insolvency under Chapter XX, Act XIV of 1882, *in the districts of the Province of Oudh during the year* 1891, *showing the number and result of applications under section* 344, *and the number of insolvents before the Courts.*

Class of Courts.	Applications for declaration of insolvency.								Number of insolvents discharged during the year under section 356.	Number of insolvents' estates in the hands of receivers in which proceedings were finally closed during the year.	Amount of creditors' claims dealt with during the year.		Gross amount of insolvents' assets realized and disbursed.		Remarks.
	Total number of applications.	Transferred to another province, withdrawn, &c.	Granted.		Rejected.			Pending at the close of the year.			Admitted.	Satisfied.	Realized during the year.	Disbursed during the year.	
			A receiver being appointed.	A receiver not being appointed.	Penal proceedings under section 359 not being taken.	Sentence of imprisonment being passed under section 360.	Applicant being sent to the Magistrate to be dealt with.								
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
											Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	
Chief Courts of districts ...	39	5	2	1	10	..	...	21	1	1	1,742 6 0	...	...	130 0 0	

A.—Showing original suits instituted, disposed of, and pending in Civil Courts in the Province of Oudh in 1891, *as compared with the figures in* 1890.

District.	Courts.	Instituted.		Disposed of.		Pending.		Remarks.
		1890.	1891.	1890.	1891.	1890.	1891.	
Lucknow ...	Regular	1,680	2,105	1,915	2,015	868	1,029	The entries in column 4 show fresh institutions only and do not include cases received by transfer or on remand, review or revival during the year.
	Small Cause Court ...	1,377	883	1,395	839	110	169	
Unao ...	Regular	4,388	2,732	4,573	3,014	550	337	
	Small Cause Court ...	453	1,765	468	1,666	32	146	
Bara Banki ...	Regular	1,362	1,325	1,394	1,274	161	241	
	Small Cause Court ...	2,008	1,917	2,021	1,755	49	220	
Sitapur ...	Regular	4,676	2,671	4,638	2,822	488	477	
	Small Cause Court ...	57	2,043	62	1,918	8	146	
Hardoi ...	Regular	3,688	2,439	3,787	2,567	512	460	
	Small Cause Court ...	1,603	2,305	1,500	2,286	103	125	
Kheri ...	Regular	2,069	2,934	2,003	2,800	381	582	
	Small Cause Court ...	741	242	900	252	...	...	
Fyzabad ...	Regular	2,390	2,452	2,578	2,674	820	613	
	Small Cause Court ...	2,242	1,638	2,351	1,717	192	130	
Bahraich ...	Regular	1,983	1,673	2,163	1,975	597	220	
	Small Cause Court ...	3,871	5,482	3,554	6,167	871	413	
Gonda ...	Regular	5,129	2,763	5,468	2,866	582	629	
	Small Cause Court ...	1,423	4,647	1,334	4,801	299	222	
Rae Bareli ...	Regular	3,235	1,894	3,694	1,958	295	273	
	Small Cause Court ...	568	2,119	501	2,042	68	163	
Sultánpur ...	Regular	1,729	1,818	1,762	1,706	83	224	
	Small Cause Court ...	2,429	2,611	2,418	2,540	71	147	
Partábgarh ...	Regular	2,716	1,197	2,819	1,318	355	253	
	Small Cause Court ...	1,727	3,070	2,038	3,323	378	177	
	Total ...	53,544	54,725	55,336	56,295	7,873	7,396	

B.—Showing the work done by District Judges in 1891 *in the Province of Oudh.*

District.	Original suits.	Miscellaneous.		Appeals.		Sessions trials.	Criminal appeals.	Criminal applications for revision.	Remarks.
		Application for execution of decrees.	Judicial.	Regular.	Miscellaneous.				
Lucknow	9	129	147	187	54	...	...	...	All sessions trials shown in Criminal Annual Statement No. V for 1891; and all criminal appeals and revisions in Statement No. VI for 1891.
Sitapur	10	19	59	206	31	...	...	...	
Hardoi	3	5	148	89	2	...	...	...	
Fyzabad	23	42	119	319	37	..	...	...	
Gonda	3	25	78	52	14	...	...	...	
Rae Bareli	9	22	72	208	16	...	...	...	
Total ...	57	*242	623	1,151	154	...	...	...	

C.—Showing the work done by Subordinate Judges in 1891 *in the districts of the Province of Oudh.*

District.	Jurisdiction.	Suits.				Miscellaneous cases		Appeals.	
		Withdrawn, &c.	Decided *ex parte*.	Contested.	Total.	Application for execution of decree.	Judicial.	Regular.	Miscellaneous.
Lucknow	Regular	57	11	109	177	366	141	147	13
	Small Cause Court	...	...	...	...	...	...	...	...
Unao	Regular	70	19	129	218	266	237	162	6
	Small Cause Court	276	51	153	480	223	...	...	...
Bara Banki ...	Regular	116	33	82	231	315	121	58	2
	Small Cause Court	203	44	55	302	261	13	...	...
Sitapur	Regular	229	72	268	569	405	205	...	...
	Small Cause Court	16	5	11	32	50	5	...	...
Hardoi	Regular	111	35	221	367	554	320	...	...
	Small Cause Court	1,045	179	469	1,693	1,049	170	...	...
Kheri	Regular	796	140	281	1,217	858	317	...	...
	Small Cause Court	127	65	60	252	53	12	...	...
Fyzabad	Regular	49	21	465	535	575	225	282	14
	Small Cause Court	609	332	632	1,573	1,031	107	...	
Bahraich	Regular	97	26	101	224	369	194	49	5
	Small Cause Court	896	375	271	1,542	896	172	..	...
Gonda	Regular	26	15	77	118	287	207	292	27
	Small Cause Court	1,170	595	697	2,462	432	195		...
Rae Bareli... ..	Regular	52	11	147	210	329	195	100	...
	Small Cause Court	304	103	110	517	121	...	...	...
Sultánpur	Regular	124	11	191	326	317	136	10	. .
	Small Cause Court	485	141	294	920	582	60	...	...
Partábgarh ...	Regular	44	10	242	296	447	219	36	6
	Small Cause Court	1,220	511	618	2,355	1,642	222	.	. .
	Total ...	8,128	2,805	5,683	16,616	11,428	3,473	1,136	73

D.—Showing the work done by Munsifs in 1891 *in the districts of the Province of Oudh.*

District.	Munsifi.	Jurisdiction.	Suits.				Miscellaneous.	
			Withdrawn, compromised, confessed, &c.	Decided *ex parte*.	Contested.	Total.	Applications for execution of decrees.	Judicial.
Lucknow ...	Munsifi, North ...	Regular	435	74	292	801	868	267
		Small Cause Court ...	375	87	103	565	217	39
	„ South ...	Regular	434	150	416	1,000	1,077	290
		Small Cause Court ...	172	43	59	274	148	7
		Total ...	1,416	354	870	2,640	2,310	603
Unao	Unao	Regular	383	71	264	718	710	250
		Small Cause Court ...	393	73	203	669	41	...
	Purwa	Regular	535	212	353	1,100	627	68
		Small Cause Court ..	...	...	...	...	...	...
	Safipur	Regular	403	71	494	968	733	213
		Small Cause Court ...	303	49	165	517	45	12
		Total ...	2,017	476	1,479	3,972	2,156	543
Bara Banki ...	Rámsanchighát ...	Regular	354	70	308	732	575	130
		Small Cause Court ..	459	92	195	746	190	13
	Fatehpur ..	Regular	115	41	155	311	468	141
		Small Cause Court ...	348	88	271	707	241	34
		Total ...	1,276	291	929	2,496	1,474	318
Sitapur	Sitapur	Regular	436	213	410	1,059	1,272	305
		Small Cause Court ...	535	175	247	957	40	6
	Biswan... ...	Regular	597	132	326	1,055	1,039	265
		Small Cause Court ...	583	125	221	929	25	16
		Total ...	2,151	645	1,204	4,000	2,376	652
Hardoi	Shahabad ...	Regular	746	144	389	1,279	724	146
		Small Cause Court ...	...	...	...	...	...	...
	Bilgram ...	Regular	239	79	292	610	701	276
		Small Cause Court ...	329	84	180	593	31	12
		Total ...	1,314	307	861	2,482	1,456	434
Kheri	Muhamdi ...	Regular	608	79	333	1,020	477	175
Fyzabad... ...	Fyzabad ...	Regular	595	79	586	1,260	817	110
		Small Cause Court ...	83	12	49	144	44	6
	Akbarpur ...	Regular	408	139	306	853	531	94
		Small Cause Court ...	...	...	...	...	...	...
		Total ...	1,086	230	941	2,257	1,392	210
Bahraich ...	Additional Munsif, Bahraich.	Regular	234	96	208	538	151	69
		Small Cause Court ..	1,330	468	553	2,351	242	102
	Kaisarganj ...	Regular	96	38	105	239	493	115
		Small Cause Court ...	1,327	386	561	2,274	976	176
		Total ...	2,987	988	1,427	5,402	1,862	462
Gonda	Gonda	Regular	211	77	327	615	1,025	251
		Small Cause Court ...	580	252	246	1,078	403	73
	Tarabganj ...	Regular	282	97	417	796	810	171
		Small Cause Court ...	554	185	382	1,121	126	45
	Utraula	Regular	611	220	503	1,334	812	210
		Small Cause Court ...	76	29	35	140	...	...
		Total ...	2,314	860	1,910	5,084	3,176	750
Rae Bareli ...	Rae Bareli ...	Regular	159	53	274	486	688	174
		Small Cause Court ...	521	132	298	951	140	37
	Dalmau ...	Regular	512	148	350	1,010	944	218
		Small Cause Court ...	310	128	136	574	11	11
		Total ...	1,502	461	1,058	3,021	1,783	440
Sultánpur ...	Sultánpur ...	Regular	200	62	554	906	815	199
		Small Cause Court ...	380	111	250	741	313	43
	Musáfirkhána ...	Regular	164	27	283	474	457	157
		Small Cause Court ...	528	127	224	879	209	10
		Total ...	1,362	327	1,311	3,000	1,794	409
Partábgarh ...	Partábgarh ...	Regular	172	76	291	539	802	180
		Small Cause Court ...	270	119	159	548	64	12
	Kunda	Regular	199	69	184	452	670	151
		Small Cause Court .	222	90	108	420	41	17
		Total ...	863	354	742	1,959	1,577	360
		Grand Total ...	16,896	5,372	13,065	37,333	21,833	5,356

E.—Showing the work done by Courts of Small Causes in 1891 *in the Districts of the Province of Oudh.*

District.	Courts.	Powers.	Suits.				Miscellaneous.		Appeals	
			Withdrawn, compromised, confessed, &c.	Decided *ex parte*.	Contested.	Total.	Application for execution of decrees.	Judicial.	Regular.	Miscellaneous.
Lucknow City Small Cause Court.	City Small Cause Court.	S. C.	2,836	1,008	1,969	5,813	7,561	433	...	...
Lucknow ...	Lucknow Cantonment	S. C. & C. M.	272	104	98	474	288	4	...	...
Fyzabad ...	Fyzabad „ ...	S. C. & C. M.	31	10	17	58	36	1	...	...
	Total ...	...	3,139	1,122	2,084	6,345	7,885	438		...

G.—Statement showing the court fees (other than process fees) realized in the Civil Courts in the Province of Oudh during the year 1891.

District.	*Ad valorem* fees.			Fixed fees.		Gross fees realized.	Refunds under sections 10, 13, 14, and 15, Act VII of 1870, and under Notification No. 2768, dated 30th April 1876, and under rule 58 or Circular Order 12 of 1882	Net fees realized.	Remarks.
	On plaints, memoranda of appeals, and applications for review of judgment.	On copies and translations.	On certificates, probates, and letters of administration.	On plaints and memoranda of appeal.	On other documents.				
1	2	3	4	5	6	7	8	9	10
	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	
Lucknow	72,855 10 0	1,190 3 0	16,734 6 0	2,399 0 0	1,612 5 0	94,791 8 0	1,054 14 0	93,736 10 0	
Unao	29,551 12 0	814 6 0	689 0 0	98 0 0	4,286 14 0	35,440 0 0	39 12 0	35,400 4 0	
Bara Banki	24,345 2 0	254 15 0	248 0 0	240 0 0	3,221 5 0	28,309 6 0	17 4 0	28,292 2 0	
Sitapur	37,302 15 0	448 4 0	1,280 0 0	140 0 0	3,873 11 0	43,044 14 0	287 14 0	42,757 0 0	
Hardoi	33,338 15 0	1,476 0 0	1,577 0 0	660 0 0	7,945 1 0	44,997 0 0	...	44,997 0 0	
Kheri	14,703 9 0	104 0 0	660 0 0	77 8 0	2,178 2 0	17,723 3 0	..	17,723 3 0	
Fyzabad	48,081 5 0	1,952 13 0	1,468 12 0	682 8 0	5,242 5 0	57,427 11 0	566 12 0	56,860 15 0	
Bahraich	24,918 14 0	608 13 0	547 9 0	250 8 0	1,917 7 0	28,243 3 0	23 4 0	28,219 15 0	
Gonda	38,313 6 0	1,050 4 0	1,026 0 0	435 8 0	4,026 13 0	44,851 15 0	150 0 0	44,701 15 0	
Rae Barcli	39,455 8 0	1,946 4 0	4,788 14 0	382 8 0	4,096 12 0	50,669 14 0	4 8 0	50,665 6 0	
Sultánpur	18,944 11 0	738 4 0	470 12 0	223 0 0	2,776 12 0	23,153 7 0	. .	23,153 7 0	
Partábgarh	25,341 12 0	1,202 5 0	847 0 0	120 0 0	3,062 10 0	30,573 11 0	5,372 0 0	25,201 11 0	
Total ...	4,07,153 7 0	11,786 7 0	30,337 5 0	5,706 8 0	44,240 1 0	4,99,225 12 0	7,516 4 0	4,91,709 8 0	
High Court of the Province of Oudh ..	26,075 1 0	...	...	...	5,769 10 0	31,844 11 0	...	31,844 11 0	
GRAND TOTAL ...	4,33,228 8 0	11,786 7 0	30,337 5 0	5,706 8 0	50,009 11 0	5,31,070 7 0	7,516 4 0	5,23,554 3 0	

H.—Showing the income and expenditure of the Civil Courts in the Province of Oudh during the year 1891.

District.	Income.						Expenditure.						Surplus.	Deficit.
	Net value of stamps exclusive of those used to denote process fees.	Duty and penalties on instruments not duly stamped.	Fines.	Process fees. Fees for employment of amins.	Process fees. Other fees.	Judicial Record Fund.	Sale proceeds of unclaimed property of intestates (Regulation 5 of 1799).	Total.	Salaries of officers presiding over Civil Courts and of their establishments, the full salaries of the Judges and establishment of High Court, and half salaries of District and Sessions Judges and their subordinates who are employed on Criminal as well as the Civil side being entered	Process serving establishment. (a) Central názir, názirs, bailiffs and nazarat office chaprásis.	Process serving establishment. (b) Process serving peons.	Amín establishment.	Judicial Record Fund.	Total.		
1	2	3	4	5	6	6	8	9	10	11	12	13	14	15	16	17
	Rs. a. p.	Rs. a. p.	Rs. a. p.		Rs. a. p.	Rs. a. p.		Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.		Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.
Lucknow	93,736 10 0	173 0 0	90 6 0	...	14,531 0 0	5,979 2 0	...	1,14,510 2 0	76,773 10 6	3,193 0 0	8,431 12 0	...	3,261 14 0	91,660 4 6	22,849 13 6	...
Sitapur ...	42,757 0 0	40 10 0	5 0 0	...	7,987 5 0	2,814 14 6	...	53,604 13 6	46,288 0 0	1,180 0 0	3,648 5 4	...	1,473 8 8	52,589 14 0	1,014 15 6	...
Kheri ..	17,723 3 0	63 14 0	3 0 0	.	5,165 13 0	1,230 5 6	...	24,186 3 6	13,325 15 7	900 0 0	2,353 0 0	...	590 4 6	17,169 4 1	7,016 15 5	...
Hardoi ...	44,997 0 0	194 2 0	67 0 0	...	8,813 8 0	3,384 6 0	...	57,456 0 0	30,055 7 3	1,192 0 0	4,494 7 9	...	1,766 11 8	37,508 10 8	19,947 5 4	...
Unao ...	35,400 4 0	275 0 0	59 0 0	...	9,370 13 0	4,060 5 9	...	49,165 6 9	21,737 0 6	1,139 8 0	5,211 7 10	...	1,518 10 10	29,606 11 2	19,558 11 7	...
Fyzabad ...	56,860 15 0	777 4 0	36 0 0	...	8,152 5 6	4,387 0 0	...	70,213 8 6	43,042 6 3	1,074 0 0	5,453 2 3	...	2,258 0 1	51,827 8 7	18,385 15 11	...
Bara Banki..	28,292 2 0	169 10 0	38 4 11	...	6,218 15 0	3,108 10 0	...	37,827 9 11	19,799 9 1	886 12 0	3,403 11 8	...	1,707 1 7	25,797 2 4	12,030 7 7	...
Gonda ...	44.701 15 0	249 12 0	126 0 0	...	11,465 13 0	2,726 10 0	...	59,270 2 0	36,146 11 7	1,140 0 0	5,305 10 10	...	1,398 0 10	43,990 7 3	15,279 10 9	...
Bahraich ...	28,219 15 0	128 10 0	58 11 0	..	9,046 2 0	1,868 6 0	...	39,321 12 0	16,219 0 0	780 0 0	4,194 11 1	...	988 10 6	22,182 5 7	17,139 6 5	...
Rae Bareli ...	50,665 6 0	42 10. 0	4 0 0	...	5,534 4 0	4,687 14 0	...	63,934 2 0	44,322 0 6	1,080 0 0	4,436 14 6	..	2,070 6 4	51,909 5 4	12,024 12 8	...
Sultánpur ...	23,153 7 0	552 12 0	57 4 0	...	6,787 11 0	1,775 11 0	...	32,326 13 0	19,383 9 7	900 0 0	4,369 1 8	...	944 2 8	25,596 13 11	6,729 15 1	...
Partábgarh ...	25,201 11 0	499 12 0	37 0 0	...	8,775 4 0	2,082 2 6	...	36,595 13 6	14,299 14 3	898 15 2	5,163 10 3	...	951 4 7	21,313 12 3	15,282 1 3	...
Total ...	4,91,709 8 0	3,167 0 0	581 9 11	...	1,04,848 13 6	38,105 7 3	...	6,38,412 6 8	3,81,393 5 1	14,364 3 2	56,465 15 2	...	18,928 12 3	4,71,152 3 8	1,67,260 3 0	...
High Court of Province of Oudh.	31,844 11 0	...	...	...	1,950 0 0	2,189 4 0	...	35,983 15 0	1,17,233 4 2	415 1 7	...	...	1,970 3 7	1,19,618 9 4	...	83,634 10 4
GRAND TOTAL	5,23,554 3 0	3,167 0 0	581 9 11	...	1,06,798 13 6	40,294 11 3	...	6,74,396 5 8	4,98,626 9 3	14,779 4 9	56,465 15 2	...	20,898 15 10	5,90,770 13 0	1,67,260 3 0	83,634 10 4

PROVINCIAL RETURN No. XV (CIVIL).

Showing the detention of witnesses before Civil Courts in suits, miscellaneous cases, and in cases of execution of decree in the Courts of the districts of the Province of Oudh for the year 1891.

Courts.	Discharged after being in attendance.											
	1 day.	2 days.	3 days.	4 days.	5 days.	6 days.	7 days.	8 days.	9 days.	16 to 23 days.	Total.	Remarks.
Civil Courts.												
Lucknow	3,492	265	99	12	2	4	...	2	2	26	3,904	
Sitapur	4,902	136	...	...	3	...	...	...	...	...	5,041	
Hardoi	10,789	110	...	...	...	...	...	...	...	...	10,899	
Fyzabad	5,777	25	...	...	...	...	...	...	...	...	5,802	
Gonda	11,226	104	5	2	...	1	...	...	...	...	11,338	
Rae Bareli	13,495	171	31	16	10	4	...	7	6	30	13,770	
Total ...	49,681	811	135	30	15	9	...	9	8	56	50,754	
Small Cause Courts.												
Lucknow City Small Cause Court	3,177	8	5	...	...	...	...	...	...	...	3,190	
„ Cantonment Small Cause Court	196	...	...	...	...	...	...	...	...	...	196	
Fyzabad „ „	30	...	...	...	...	...	...	...	...	...	30	
Total ...	3,403	8	5	...	...	...	...	...	...	...	3,416	

PROVINCIAL RETURN No. XVI (CIVIL).

Showing the receipts and disbursements on account of processes in the Courts of the Province of Oudh during the year 1891.

Courts.	Average number of servants employed.	Aggregate number of processes served.	Average number per server.	Receipts.			Disbursements.						Remarks.
				Value of fees received during the year.	Remittances from other provinces.	Total.	Pay of supervising establishment, including nazarat and bailiff.	Pay of peons.	Pension Fund 12 per cent.	Contingencies and refunds.	Total.	Surplus or deficit.	
Civil.				Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	
District Judge, Lucknow	56	23,059	414·	7,908 5 0	...	7,908 5 0	1,319 8 0	4,036 1 7	642 10 5	82 8 0	6,080 12 0	1,827 9 0	
„ Sitapur	85	40,160	472·47	13,153 2 0	...	13,153 2 0	2,080 0 0	6,001 5 4	720 1 3	...	8,801 6 7	4,351 11 5	
„ Hardoi	135	55,889	411·06	17,929 14 0	20 6 0	17,950 4 0	2,510 8 0	9,623 13 10	1,456 1 3	159 15 0	13,750 6 1	4,199 13 11	
„ Fyzabad	122	47,524	389·54	14,301 5 0	0 12 0	14,302 1 0	1,966 12 0	8,712 13 11	1,281 8 9	91 6 3	12,052 8 11	2,249 8 1	
„ Gonda	132	69,995	530·26	20,246 14 0	...	20,246 14 0	1,920 0 0	9,428 5 11	1,361 12 9	65 14 6	12,776 1 2	7,470 12 10	
„ Rae Bareli	176	74,729	424·59	23,485 1 7	...	23,485 1 7	2,878 15 2	12,617 10 7	1,859 1 4	170 8 6	17,526 3 7	5,958 14 0	
Totas ...	706	3,11,356	441·01	97,024 9 7	21 2 0	97,045 11 7	12,675 11 2	50,420 3 2	7,321 3 9	570 4 8	70,987 6 4	26,058 5 3	
Small Cause Courts.													
Lucknow City Small Cause Court ...	60	23,191	386·	6,240 9 0	...	6,240 9 0	1,249 8 0	4,275 10 5	663 0 2	...	6,188 2 7	52 6 5	
„ Cantonment Small Cause Court ...	2	1,351	675·5	350 12 0	...	350 12 0	144 0 0	120 0 0	31 10 8	...	295 10 8	55 1 4	
Fyzabad „ „ ...	1	272	272·	36 4 0	...	36 4 0	...	72 0 0	8 10 2	4 3 0	84 13 2	—48 9 2	
Total ...	62	24,814	393 87	6,627 9 0	...	6,627 9 0	1,393 8 0	4,467 10 5	703 5 0	4 3 0	6,568 10 5	58 14 7·	

PROVINCIAL RETURN No. XVIII (Civil).

Statement showing receipts and disbursements on account of Sale Commission Fund in the districts of the Province of Oudh during the year 1891.

Courts.	Receipts.	Disbursements.			Balance.	Payable to nizirs, &c., under para. 15, Circular No. 24 of 1892.	Remarks.
	Value of fees received within the year.	Pay of peons.	Contingencies.	Total.			
Civil.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	
Lucknow	1,870 2 9	456 0 0	...	456 0 0	1,414 2 9	353 8 7	
Sitapur	1,263 4 0	72 0 0	...	72 0 0	1,191 4 0	297 12 11	
Hardoi	1,558 7 9	193 3 0	14 11 0	207 14 0	1,350 9 9	337 10 4	
Fyzabad	1,189 2 3	117 8 3	0 15 0	118 7 3	1,070 11 0	267 10 3	
Gonda	1,958 5 9	374 4 2	...	374 4 2	1,584 1 7	396 0 4	
Rae Bareli	2,346 13 8	590 13 10	...	590 13 10	1,755 15 10	438 13 10	
Total ...	10,186 4 2	1,803 13 3	15 10 0	1,819 7 3	8,366 12 11	2,091 8 3	
Small Cause Courts.							
Lucknow City Small Cause Court	249 5 0	142 12 6	...	142 12 6	106 8 6	26 10 1	
„ Cantonment Small Cause Court	5 9 6	...	...	...	5 9 6	1 6 4	
Fyzabad „ „	0 3 9	...	...	...	0 3 9	0 0 11	
Total ...	255 2 3	142 12 6	...	142 12 6	112 5 9	28 1 4	

ORDERS OF GOVERNMENT.

No. 1033 / VII—520B OF 1892.

FROM

THE SECRETARY TO GOVERNMENT,

N.-W. PROVINCES AND OUDH,

TO

THE JUDICIAL COMMISSIONER OF OUDH.

DATED ALLAHABAD, THE 26TH NOVEMBER 1892.

SIR,

JUDICIAL DEPT. (CIVIL).

I AM directed to acknowledge the receipt on the 4th November 1892 of your predecessor's letter No. 1561, dated 8th October 1892, being the report on the administration of Civil Justice in Oudh during the year 1891. The report was four months overdue on receipt, and I am to request an explanation of the delay. By the 1st April 1891 the important measures for the reconstitution of the judicial administration of Oudh had wholly come into effect: to briefly enumerate the changes introduced, instead of the civil litigation being disposed of by four Civil Judges, and the criminal and rent business by Commissioners, there are now six Judges to whom is entrusted both criminal and civil work, rent litigation being left as before in the hands of the Commissioners, with the difference that appeals lie to the Board of Revenue instead of to the Judicial Commissioner. The statistics of litigation in Rent Courts have accordingly been omitted from the report. Statement B, I am to remark, should in future be completed for criminal as well as civil work. In addition to the above changes, Act XX of 1890 and Act XIV of 1891 effected several material alterations in the jurisdiction of certain tribunals and provided for the hearing of certain cases by a bench composed of the Judicial Commissioner and the Additional Judicial Commissioner; the report would have been of more interest, had it discussed the effect of the reorganization on the working of the Courts during the past year.

2. The following table compares the figures for the institutions of suits for the last three years:—

	Suits for money or movable property.			Suits relating to title, &c.			Total.		
	1889.	1890.	1891.	1889.	1890.	1891.	1889.	1890.	1891.
Unpaid tribunals ...	3,063	2,692	2,215	88	52	35	3,151	2,744	2,250
Paid subdivisional tribunals (Sub-Judges and Munsifs).	26,332	24,985	16,721	8,524	7,176	6,970	34,856	32,161	23,691
Small Cause Courts ...	24,875	25,058	34,832	...	...	4	24,875	25,058	34,836
District Courts (Judges).	29	28	18	112	112	44	141	140	62
Total ...	54,299	52,763	53,786	8,724	7,340	7,053	63,023	60,103	60,839

These statistics give prominence to the change in the method of dealing with litigation introduced by the large extension of Small Cause Court powers, which is shown by the following table compiled from the Civil Lists. Act XX of 1890 increased the limit of the value of suits, for the trial of which it is possible to confer such powers on Munsifs, from Rs. 50 to Rs. 100 :—

Number of Officers exercising Small Cause Court powers.

	Up to Rs. 500.	Up to Rs. 100.	Up to Rs 50.	Total.
1890, last quarter	12	...	8	20
1891, ditto	9	17	1	27

The result is that whereas in 1890 only 41 per cent. of the total number of suits filed were instituted in Small Cause Courts, in 1891 the percentage rose to 57. Another noticeable feature which is pointed out in the report is the falling off in the number of suits instituted in the Courts of Honorary Assistant Commissioners, the number being the lowest since 1876. This may perhaps be due to the extension of Small Cause Court powers, because under section 16 of Act IX of 1887 a suit which is cognizable by a Court of Small Causes must be instituted in it to the exclusion of any other Court. No explanation is afforded of the continued decline in the number of suits as to immovable property, which fell from 5,300 in 1890 to 5,094 in 1891. The most noteworthy variations in the institutions in the various districts as shown in Statement A occur in Fyzabad, where there was a decline from 4,632 to 4,090, following upon one of 14 per cent. in the previous year; and in Gonda where the number increased from 6,552 to 7,410. The value of suits filed decreased considerably (owing mainly to the decline in the number of suits of which the value was over Rs. 10,000), from Rs. 1,14,74,438 to Rs. 74,44,799, the value per suit falling from Rs. 190 to Rs. 122. Oudh still shows a far higher percentage (75) of suits of which the value is below Rs. 50 than is the case in the North-Western Provinces, where it stood in 1891 at 51.

3. The number of suits for disposal, the number left pending and the figures for the duration in days of contested and uncontested suits are exhibited in the usual form :—

	Number of suits.				*Duration of suits.*					
					Oudh.				*North-Western Provinces, 1891*	
	For disposal.		Pending at close of the year.		Contested.		Uncontested.			
	1890.	1891.	1890	1891.	1890.	1891.	1890	1891.	Contested.	Uncontested.
Unpaid tribunals ...	3,149	2,579	254	290	45	74	49	53	12	14
Paid subdivisional tribunals (Munsifs).	31,146	23,087	3,044	2,932	67	89	35	37	79	33
Small Cause Courts ...	27,567	38,250	2,930	2,599	41	45	36	33	45	33
District Courts (Sub-Judges).	7,914	6,425	2,224	1,937	139	155	79	68	167	71
Chief Courts of districts (Judges).	277	236	170	179	357	374	140	291	218	95
Total ...	70,053	70,577	8,622	7,937	78	75	41	37	82	35

The most unsatisfactory item, unless some explanation is forthcoming, is the increase in the duration of suits, in spite of the reduction in the number for disposal, in the Courts of Honorary Assistant Commissioners. In the case of superior Courts the addition of criminal work to the business to be disposed of is assigned as a cause for the increase in the duration of cases; while in some of the lower Courts too great a leniency in granting adjournments, a fault to be specially avoided, particularly in Gonda, where work is heavy, is observed. With reference to the remarks in paragraph 14 regarding the small number of original cases tried by Judges, I am to remark that criminal work in Oudh is not as heavy on the whole as in the North-Western Provinces, and there appears no sufficient reason why the Judges of Hardoi and Gonda should have decided only three original suits each: in both districts the total amount of civil business disposed of (*vide* Statement B) was considerably below the average, and I am to request that the explanation of the Judges on the point may be submitted. It is observed that there was a considerable falling off in the number of suits for disposal in District Courts (the Courts of Sub-Judges). This is probably due in part to the operation of Act XX of 1890, which extended the ordinary jurisdiction of Munsifs' Courts from Rs. 500 to Rs. 1,000, a change which does not appear to have been counterbalanced by the grant to seven out of the twelve Sub-Judges of the power to hear original suits without limit of value under the new enactment. Advantage was further taken of the new provisions of law to extend the jurisdiction of sixteen out of the twenty-five Munsifs to suits not exceeding Rs. 2,000 in value. In addition to the ordinary suits, there were 11,432 miscellaneous suits for disposal as compared with 10,388 in 1890, of which all but 1,363 were decided.

4. Subjoined is a table showing the manner in which the various classes of tribunals disposed of the suits decided by them during the last two years:—

	Suits disposed of—								*Percentage to total number of suits decided of suits determined—*							
	Without trial.		Without contest.		By arbitration.		With contest.		Without trial.		Without contest.		With contest.		By arbitration.	
	1890.	1891.	1890.	1891.	1890	1891.	1890.	1891.	1890	1891.	1890	1891.	1890	1891.	1890.	1891.
Unpaid tribunals ...	755	597	1,481	1,231	26	11	633	450	27	28	51	53	21	19	1	...
Paid subdivisional tribunals (Munsifs).	5,615	8 90'	11,460	7,709	91	125	10,936	8,420	22	21	40	38	38	41	...	...
Small Cause Courts ...	4,673	7,005	12,523	18,507	33	40	7,408	10,099	20	21	50	51	30	28	...	...
District Courts (Sub-Judges).	1,077	696	1,803	1,443	55	36	2,755	2,313	20	16	31	32	48	51	1	...
Chief Courts of districts (Judges).	15	7	14	14	1	2	77	34	14	14	13	24	72	59	1	3
Total ...	12,135	12,206	27,281	28,904	206	214	21,809	21,316	21	20	44	46	35	34	...	...

The more important fluctuations in the figures are assignable to the cause noticed in paragraph 3, *viz.*, the extended use of Small Cause Court powers. Otherwise the statistics call for little remark. The percentage of contested cases decided in the Courts of Judges falls considerably, but the total figures are too small to give uniform results.

5. The falling off in the amount of appellate work before the Courts, which last year amounted to 14 per cent., was still further continued, as is apparent from the following statement of regular appeals :—

	Determined without hearing.		Upheld.		Modified or reversed.		Pending.		Total.	
	1890.	1891.	1890.	1891.	1890.	1891	1890.	1891.	1890.	1891.
First appellate Courts ...	67	71	752	671	424	394	248	412	1,491	1,548
Chief Courts of districts ...	202	159	942	647	599	345	897	1,245	2,640	2,396
Total ...	269	230	1,694	1,318	1,023	739	1 145	1 657	4,131	3,944
Percentages to total, minus pending, of appeals :—										
In first appellate Courts ...	6	6	60	60	34	34	...	...	...	...
In Chief Courts of districts ...	12	14	54	56	34	30	...	...	...	...

The results of appeals seem to have been slightly more favourable to the decisions of lower Courts than in the previous year, and the percentage of first appeals filed (3,944) to the original suits disposed of (62,640) declined slightly from 6·7 in 1890 to 6·2 in 1891. There was a considerable increase in the pending file and also in the duration of appeals, which increased in the case of Subordinate Judges' Courts, where appellate work is light, from 70 to 108 days, and in that of Judges' Courts from 126 to 187. The pressure of the criminal work now performed by Judges may be responsible for the latter, but no such explanation is possible for the former result. Appellate work is heavy in Oudh where 191 civil appeals were decided on an average by each Judge as compared with 151 in the North-Western Provinces: the average in the latter case is however raised to 201 by the addition of Rent Court appeals. In Fyzabad and Rae Bareli the high figures of 319 and 298 were respectively reached. Out of 387 miscellaneous appeals 227 were decided, leaving 160 pending as compared with 92 in the previous year. In this class of appeals also the duration increased considerably in both Subordinate Judges' and Judges' Courts.

6. The figures relating to the execution of decrees are given below :—

	Satisfied wholly or in part.		Infructuous.		Pending.		Total.		Percentage (to applications disposed of) of applications which were infructuous.	
	1890.	1891.	1890	1891.	1890.	1891.	1890.	1891.	1890.	1891.
Unpaid tribunals	546	482	374	417	111	110	1,031	1,009	40	46
Paid subdivisional tribunals (Munsifs).	9,479	8,970	8,598	8,906	3,053	3,146	21,130	21,022	47	49
Small Cause Courts	6,043	7,759	7,450	9,173	1,494	2,060	14,987	18,992	55	54
District Courts (Sub-Judges) ...	2,903	2,473	2,528	2,459	1,561	1,716	6,992	6,648	46	49
Chief Courts of districts (Judges),	142	96	141	106	161	175	444	377	50	52
Total ...	19,113	19,780	19,091	21,061	6,880	7,207	44,584	48,048	49	53

The same tendency is noticeable as was apparent last year: *i.e.*, although there was less success in executing decrees, there was a greater resort to the Courts. Applications for execution were made in 76 per cent. of cases decided as compared with 72 in the previous year. The comparatively high percentage of infructuous decrees in Small Cause Courts is probably, as in the case of the North-Western Provinces, due to the fact that they are not empowered to sell immovable property, so that applications for this form of execution are transferred to other Courts and shown as struck off for non-satisfaction, or as disposed of by transfer. The number of witnesses examined in ordinary Courts, including ordinary Courts in the exercise of their Small Cause Court powers, declined from 53,684 to 50,754 and in the regular Small Cause Courts from 3,686 to 3,416.

7. The income of the Courts was Rs. 6,74,391 as compared with Rs. 6,72,311 in 1890, the figures for expenditure being Rs. 5,90,769, and Rs. 5,29,633, respectively. There was thus a decrease in the surplus from Rs. 1,42,678 to 83,625. The increase of expenditure was caused by the reconstitution of the judicial administration of Oudh.

8. The work in the Judicial Commissioner's Court stands as follows:—

	Civil.						*Rent.*		
	From original decrees.			From appellate decrees.			From appellate decrees.		
	1889.	1890.	1891.	1889.	1890.	1891.	1889.	1890.	1891.
Decided ... Uncontested (including *ex parte*).	8	8	8	45	29	89	81	91	51
Decided ... Contested	48	92	56	180	523	290	144	457	240
Pending	100	93	94	547	393	378	279	154	56
Pending over three months ...	81	84	82	456	313	313	180	84	19
Duration in days	423	423	415	374	426	406	211	179	182

Notwithstanding the fact that under Act XX of 1890 appeals from Sub-Judges in suits exceeding Rs. 5,000 now lie to the Judicial Commissioner, the appellate work for disposal was considerably lighter than in the previous year, only 865 civil appeals being entered for hearing as compared with 1,133: while the numbers for rent appeals are 351 and 702 respectively. No explanation is advanced in the report for the apparently unsatisfactory fact that except in the case of rent appeals the pending file remained practically unreduced, while the duration of appeals was not materially shorter. It is however believed that some long and intricate talukdari cases came up for disposal which occupied several weeks in hearing to the detriment of other work, and that under the new bench system arrears have not, in fact, accumulated. It should also have been explained that the appearance of such a large number of rent appeals in the returns is due to the operation of a ruling of your Court by which the recent legislation transferring such appeals to the Board of Revenue has been held to be inapplicable to the cases of suits

instituted previous to its introduction: under the same ruling you continue to hear second appeals both on the facts and on points of law. Owing to the omission to bar the effect of section 6 of the General Clauses Act, 1868, it will be some two years before full benefit will be derived by your Court from the changes in the law effected by Acts XX of 1890 and XIV of 1891. In addition to the regular appellate work, 109 miscellaneous appeals came on for hearing, of which 78 were disposed of.

I have the honor to be,

SIR,

Your most obedient servant,

W. H. L. IMPEY,

Secy. to Govt., N.-W. P. and Oudh.